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OGC HAS REVIEWED.

MEMORANDUM TO MR. HOUSTON 14 July 1952

1. Delay in replying to this memorandum:

In the course of my investigation into this matter I contacted the office of Mr. Robert Davis, Assistant General Counsel of G. S. A. being assured that he would be glad to discuss this matter and would call me. Two phone calls, one personal visit and several weeks later--still no call from G. S. A. Contact with [redacted] of Personnel revealed that they had already contacted G. S. A. (1) as well as I&S and that those offices had no objection.

STATINTL

I then inquired if in view of the foregoing, anything more was desired of us than a statement, assuming we saw fit to make it, that we saw no legal objection to the suggestion. The reply was in the negative. Hence the memorandum as written.

2. With respect to your inquiry regarding the N. Y. case of Zorach vs Clauson, 343 US 306, 72 S Ct 679:

The factual situation is not the same. There school children are released during school hours at their parents request to attend religious services of their own choosing, away from the school building and grounds. This "released time" program was held to be constitutional.

[redacted] STATINTL

P. S. Pentagon conducts daily Catholic, Protestant and Hebrew services during the noon period.

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